

Message Text

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ACTION ARA-10

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TAGS: SHUM, PINS, ASEC, AR

SUBJECT: HUMAN RIGHTS ROUND-UP NO. 11

REF: (A) BUENOS AIRES 1094, (B)BUENOS AIRES 7458, (C)
BUENOS AIRES 1296

1. CONSTITUTIONAL OPTION TO LEAVE ARGENTINA: THE EXECUTIVE HAS DECREED THE FORMATION OF A COMMISSION TO CONSIDER WHETHER INTERNAL SECURITY CONDITIONS PERMIT THE REINSTATEMENT OF THE CONSTITUTIONAL RIGHT FOR PERSONS DETAINED UNDER STATE OF SIEGE PROVISIONS TO OPT TO LEAVE THE COUNTRY. THE RIGHT WAS SUSPENDED BY THE MILITARY FIRST IN MARCH 1976 AND AGAIN ON NOV 2, 1976 FOR ANOTHER 180 DAYS. THE COMMISSION WILL BE CHAIRED BY THE MINISTER OF THE INTERIOR AND WILL INCLUDE AS MEMBERS A HIGH RANKING REPRESENTATIVE FROM EACH OF THE THREE ARMED FORCES, THE JUSTICE MIINISTRY AND THE STATE INTELLIGENCE SERVICE. THE COMMISSION IS TO REPORT ITS FINDINGS BEFORE MARCH 15. (EMBASSY COMMENT: THE CREATION OF THE COMMISSION IS SEEN AS GOA'S RESPONSE TO LAST WEEK'S COURT DECISION THAT THE SUSPENSION OF THE CONSTITUTIONAL RIGHT OF OPTION CANNOT BE APPLIED RETROACTIVELY, I.E. BEFORE PUBLISHED AS LAW ON NOVE 2, 1976--REF A. IN ITS RULING, THE COURT ORDERED THE GOVT TO ALLOW STATE OF SIEGE DETAINEE MIRTA CHRISTINA ATENCIA

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TO EXERCISE HER OPTION TO LEAVE THE COUNTRY OR SET HER FREE WITHIN 20 DAYS.)

2. BRAZILIANS EXPELLED: UNHRC REP TOLD EMBOFF THAT BRAZILIAN NATIONALS PAULO PARANAGUA AND MARIA RGINA PHILLA LEFT ARGENTINA, PRESUMABLY FOR EUROPE, IN MID-JANUARY AFTER BEING EXPELLED FROM THE COUNTRY BY PRESIDENTIAL DECREE (REF B).

3. LAWYER GETS WARNING: AN ARGENTINE LAWYER TOLD EMBOFF JAN 14 THAT HE WAS GIVEN A FRIENDLY WARNING BY A FEDERAL COURT JUDGE ACQUAINTANCE NOT TO ALLOW HIS NAME TO APPEAR ON TOO MANY WRITS OF HABEAS CORPUS. THE JUDGE SAID CONFIDENTIALLY THAT THE INTERIOR MINISTRY HAD REQUESTED A BACKGROUND INFORMATION AND REPORTS ON LAWYERS WHO WERE FILING WRITS ON BEHALF OF MISSING OR DETAINED ARGENTINE CITIZENS. LAWYER TOLD EMBOFF THAT ALTHOUGH HE WAS NOT AFRAID FOR HIMSELF, HE CONSIDERED IT POSSIBLE THAT LAWYERS KNOWN TO BE ACTIVE IN FILING WRITS OR ASSISTING IN DETENTION OR DISAPPEARANCE CASES COULD FIND THEMSELVES HARRASSED OR THEIR OFFICES DAMAGED. A SEPARATE SOURCE TOLD LABATT ESSENTIALLY SAME STORY ON DIFFERENT OCCASION.

4. GOA BANS BOOKS: IN FOUR RECENT DECREES, GOA HAS PROHIBITED THE DISTRIBUTION OF A NUMBER OF BOOKS, INCLUDING "BLACK POWER" BY STOKELY CARMICHAEL; SEVERAL ANTI-SEMITIC PUBLICATIONS PUBLISHED BY EDICIONES ODAL AND ARGENTINE NATIONALIST CONFEDERATION EDITIONS; AND BOOKS ON PERONISM, COMMUNISM AND OTHER SOCIO-HISTORICAL TRACTS PUBLISHED BY EDITORIAL CENTURY XXI.

5. DETAINEE LISTS: ACCORDING TO THE LATEST WEEKLY LISTS RELEASED BY THE INTERIOR MINISTRY, 68 PERSONS WERE REMOVED FROM EXECUTIVE DETENTION UNDER STATE OF SIEGE CHARGES AND 69 PERSONS WERE ARRESTED FROM FEB 4-11. SEVEN PERSONS WERE REMOVED FROM EXECUTIVE DETENTION AND 32 ARRESTED UNDER STATE OF SIEGE FROM FEB 11-16. THE NAMES LISTED ARE NOT KNOWN TO EMBASSY. LISTS ARE BEING FURNISHED TO ECA/ARA.

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6. CHURCH LISTS: ARGENTINA CHURCHMEN HAVE COMPILED A LIST OF 340 PERSONS WHO HAVE ALLEGEDLY BEEN ARRESTED, ABDUCTED OR DISAPPEARED IN ARGENTINA IN THE LAST 12 MONTHS, ACCORDING TO AN ANNOUNCEMENT OF THE WORLD COUNCIL OF CHURCHES (WCC) IN GENEVA WHICH WAS REPORTED HERE FEB 12. THE WCC STATEMENT SAID THAT "SUBSTANTIAL EVIDENCE REFLECTS A GROWING DEGREE OF REPRESSION AND DEPRIVATION OF HUMAN RIGHTS IN ARGENTINA." IT NOTED THAT A CANADIAN PARLIAMENTARY GROUP HAD STATED THAT AT LEAST 1,000 PERSONS HAD "TOTALLY DISAPPEARED" IN ARGENTINA AND THAT ITS COMPILATION OF 340 NAMES CONSTITUTED ONLY AN INITIAL LIST.

7. PERMANENT ASSEMBLY LIST: ARGENTINA PERMANENT ASSEMBLY FOR HUMAN RIGHTS REPORT GAVE EMBOFF A 33-PAGE BOOKLET LISTING NAMES AND SHORT HISTORIES OF APPROXIMATELY 340 PERSONS WHO HAVE ALLEGEDLY BEEN ARRESTED, ABDUCTED OR DISAPPEARED IN ARGENTINA FROM JANUARY 1 TO DECEMBER 31, 1976. REPORT TOLD EMBOFF THAT THE PERMANENT ASSEMBLY SENT THE BOOKS TO PRESIDENT VIDELA WITH A REQUEST FOR HIS ASSISTANCE ON BEHALF OF THOSE LISTED IN JANUARY BUT THAT IT HAS NOT YET RECEIVED A REPLY. ASSEMBLY IS ALSO

PROVIDING COPIES FOR INTERESTED FOREIGN JOURNALISTS AND INTERNATIONAL ORGANIZATIONS. REP SAID HE WAS UNAWARE OF WCC STATEMENT AND LIST, ALTHOUGH HE SAID HE UNDERSTOOD THAT ARGENTINE CHURCH GROUPS WERE PREPARING THEIR OWN LISTS. THE PERMANENT ASSEMBLY LIST INCLUDES SEVERAL NAMES KNOWN TO EMBASSY, INCLUDING THOSE OF MONICA MIGNONE, VICTOR NOE, GUSTAVO PASKI AND MARIA MIRTA VAZQUEZ DE LUGONES, ALL OF WHOM REPORTEDLY DISAPPEARED IN 1976. PATRICIA ANN ERB'S NAME WAS ALSO ON LIST. EMBOFF INFORMED ASSEMBLY REP THAT ERB HAS BEEN EXPELLED IN OCTOBER AND WAS IN US.

8. EXTREMIST ACTIONS: EXTREMISTS REPORTEDLY KILLED THREE POLICE, ONE BUSINESS EXECUTIVE AND TWO RAILWAY WORKERS FROM FEB 1-18. TWO POLICE WERE KILLED FEB 10 IN ROSARIO WHEN A BOMB EXPLODED AS THEY WERE INSPECTING AN ABANDONED CAR. THE CAR HAD APPARENTLY BEEN BOoby-TRAPPED BY EXTREMISTS. TAMET STEEL PLANT INDUSTRIAL RELATIONS MANAGER PEDRO ALBERTO LOMBARDEO WAS SHOT TO DEATH LIMITED OFFICIAL USE

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WHILE DRIVING TO WORK IN BUENOS AIRES PROVINCE ON FEB 10. ONE POLICEMAN DIED AND SIX WERE INJURED IN A FIVE-HOUR CAR CHASE AND GUNBATTLE WITH EXTREMISTS IN A BUENOS AIRES RESIDENTIAL SUBURB ON FEB 15 (REFTEL C). DURING THE SAME 18-DAY PERIOD, ABOUT 46 EXTREMISTS WERE REPORTEDLY KILLED BY SECURITY FORCES IN SEPARATE INCIDENTS THROUGHOUT THE COUNTRY.

9. BUCKLEY QUOTED: WILLIAM BUCKLEY WAS QUOTED IN FEB 13 BAHAMAS HERALD AS SAYING THAT ALTHOUGH THE "CONCLUSION THAT HUMAN RIGHTS VIOLATIONS HAD TAKEN PLACE WAS INDISPUTABLE, IT IS PREMATURE AND MISTAKEN TO IMPOSE INTERNATIONAL SANCTIONS LESS THAN A YEAR AFTER THE OUSTER OF MRS. PERON'S GOVT. PEACE AND ORDER MUST BE RESTORED (BY PRESIDENT VIDELA) AND THE GOVERNMENT REPRESS EXCESSES BY ITS OWN SUPPORTERS." THE QUOTES WERE REPORTEDLY TAKEN FROM A BUCKLEY ARTICLE PUBLISHED IN THE NEW YORK POST.

10. NEWSPAPER CLOSED: SMALL PROVINCIAL NEWSPAPER EL INDEPENDIENTE WAS CLOSED FOR FIVE DAYS BY THE LA RIOJA PROVINCIAL GOVT FOR PUBLISHING AN EDITORIAL FEB 14 WHICH SAID THAT "MANY WHO COMPLAINED OF SUBVERSION WERE RESPONSIBLE FOR CAUSING IT." THE PAPER WAS CLOSED TWICE IN APRIL 1976 ON SIMILAR CHARGES OF VIOLATING NATIONAL LEGISLATION ON SUBVERSION. ARGENTINE ASSOCIATION OF NEWSPAPER OWNERS (ADEPA) PROTESTED THE CLOSURE TO NATIONAL AUTHORITIES ON FEB 17, SAYING THAT "SUCH ACTIONS DO NOT MATCH GOVERNMENT DECLARATIONS OF PLURALISM AND OPEN DIALOGUE." THE STATEMENT NOTED THAT THE PROVINCIAL GOVT HAD CIRCUMVENTED THE COURTS AND DUE PROCESS AND ORDERED THE CLOSURE BY ADMINISTRATIVE DECISION, AN ACTION WHICH, ADEPA CONCLUDED, "SUBVERTED THE INTENTIONS OF THE NATIONAL GOVT."

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